

**UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT**

No. 05-2058
DC No. 05-10221

KEVIN TAYLOR

Petitioner - Appellant

v.

DAVID L. WINN, Warden

Respondent - Appellee

ORDER OF COURT
Entered: July 28, 2005

Appellant has filed an application to proceed without prepayment of fees and affidavit in this court with prison trust account information, which we transmit to the district court for action. Fed. R. App. P. 24(a). Copies of the district court's ruling shall be forwarded to this court. The district court, if it denies the motion, is requested to state its reasons in writing. Fed. R. App. P. 24(a)(2). If defendant-appellant is not granted in forma pauperis status by the district court, he may file a motion to proceed in forma pauperis in this court, provided that he do so in accordance with Fed. R. App. P. 24(b).

By the Court:

Richard Cushing Donovan, Clerk
JULIE GREGG

By: _____
Operations Supervisor

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: Kit Date: 6/28/05

[Certified Copies to the Honorable Douglas P. Woodlock, Susan A. Thornton, Clerk USDC]
[cc: Kevin G. Taylor, Christopher R. Donato, AUSA]

UNITED STATES DISTRICT COURT

District of MASSACHUSETTSKevin Taylor

Plaintiff

V.

DAVID L. WINN, warden
Defendant**APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT**CASE NUMBER: CIVIL ACTION NO.
05-10221 - DPWKEVIN TAYLOR

declare that I am the (check appropriate box)

 petitioner/plaintiff/movant other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? Yes No (If "No," go to Part 2)If "Yes," state the place of your incarceration FMC - Devens, P.O. BOX 879, Ayer, MAAre you employed at the institution? Yes Do you receive any payment from the institution? Yes

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? Yes Noa. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. \$5.00 a month; Bureau ofPRISONS, FMC - Devens

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

N/A

3. In the past 12 twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b. Rent payments, interest or dividends	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c. Pensions, annuities or life insurance payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
d. Disability or workers compensation payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
e. Gifts or inheritances	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
f. Any other sources	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

Inmate Statement

Inmate Reg #: 03421068
 Inmate Name: TAYLOR, KEVIN
 Report Date: 06/23/2005
 Report Time: 9:25:23 AM

Current Institution: Devens FMC
 Housing Unit: J SOMP
 Living Quarters: Z01-111UDS

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction	Encumbrance	Ending Balance
						Amount (\$49.55)	Amount	
DEV	6/14/2005 7:45:38 AM		866		PLRA Payment			\$395.06
DEV	6/13/2005 4:15:11 PM	83			Sales	(\$12.75)		\$444.61
DEV	6/13/2005 1:08:04 PM	33318005			Western Union	\$50.00		\$457.36
DEV	6/10/2005 6:43:06 PM	ITS0610			ITS Withdrawal	(\$3.00)		\$407.36
DEV	6/9/2005 8:19:26 PM	ITS0609			ITS Withdrawal	(\$5.00)		\$410.36
DEV	6/8/2005 8:02:54 PM	ITS0608			ITS Withdrawal	(\$2.00)		\$415.36
DEV	6/6/2005 8:25:35 PM	ITS0606			ITS Withdrawal	(\$5.00)		\$417.36
DEV	6/6/2005 5:10:14 PM	ITS0606			ITS Withdrawal	(\$6.00)		\$422.36
DEV	6/6/2005 10:44:01 AM	5JV107			Payroll - IPP	\$5.25		\$428.36
DEV	6/5/2005 6:58:57 PM	ITS0605			ITS Withdrawal	(\$2.00)		\$423.11
DEV	6/4/2005 5:27:35 AM	70134101			Lockbox - CD	\$50.00		\$425.11
DEV	6/4/2005 5:27:35 AM	5DEVD040			Debt Encumbrance		(\$7.31)	-----
DEV	6/2/2005 6:41:22 PM	ITS0602			ITS Withdrawal	(\$8.00)		\$375.11
DEV	5/25/2005 2:51:10 PM	5DEVD040	803		Initial PLRA Pymt	(\$97.69)		\$383.11
DEV	5/23/2005 5:37:23 PM	ITS0523			ITS Withdrawal	(\$10.00)		\$480.80
DEV	5/19/2005 6:09:42 PM	ITS0519			ITS Withdrawal	(\$7.00)		\$490.80
DEV	5/18/2005 5:13:49 PM	66			Sales	(\$23.05)		\$497.80
DEV	5/17/2005 6:25:48 PM	ITS0517			ITS Withdrawal	(\$5.00)		\$520.85
DEV	5/13/2005 6:12:23 PM	ITS0513			ITS Withdrawal	(\$10.00)		\$525.85
DEV	5/12/2005 2:12:06 PM	775-V			Initial PLRA Pymt	\$98.33		\$535.85
DEV	5/12/2005 1:56:49 PM	5DEVD039	775		Initial PLRA Pymt	(\$98.33)		\$437.52
DEV	5/11/2005 7:52:25 PM	ITS0511			ITS Withdrawal	(\$5.00)		\$535.85
DEV	5/9/2005 8:07:32 PM	ITS0509			ITS Withdrawal	(\$5.00)		\$540.85
DEV	5/9/2005 4:40:38 PM	ITS0509			ITS Withdrawal	(\$5.00)		\$545.85
DEV	5/8/2005 7:06:03 PM	33315505			Western Union	\$50.00		\$550.85
DEV	5/7/2005 7:56:52 PM	ITS0507			ITS Withdrawal	(\$5.00)		\$500.85
DEV	5/4/2005 10:30:39 PM	ITS0504			ITS Withdrawal	(\$5.00)		\$505.85
DEV	5/4/2005 10:08:43 AM	5JV093			Payroll - IPP	\$5.25		\$510.85
DEV	5/2/2005 6:27:17 PM	ITS0502			ITS Withdrawal	(\$5.00)		\$505.60
DEV	5/2/2005 5:18:06 AM	70131703			Lockbox - CD	\$50.00		\$510.60
DEV	5/1/2005 2:47:09 PM	ITS0501			ITS Withdrawal	(\$10.00)		\$460.60
DEV	4/28/2005 9:56:37 PM	ITS0428			ITS Withdrawal	(\$5.00)		\$470.60
DEV	4/27/2005 8:42:06 PM	ITS0427			ITS Withdrawal	(\$5.00)		\$475.60

DEV	4/23/2005 6:08:22 PM	ITS0423	ITS Withdrawal	(\$5.00)	\$480.60
DEV	4/22/2005 9:56:35 PM	ITS0422	ITS Withdrawal	(\$5.00)	\$485.60
DEV	4/20/2005 7:19:21 PM	ITS0420	ITS Withdrawal	(\$4.00)	\$490.60
DEV	4/19/2005 5:15:09 PM	ITS0419	ITS Withdrawal	(\$6.00)	\$494.60
DEV	4/12/2005 6:40:06 PM	ITS0412	ITS Withdrawal	(\$5.00)	\$500.60
DEV	4/9/2005 1:41:26 PM	ITS0409	ITS Withdrawal	(\$5.00)	\$505.60
DEV	4/8/2005 7:07:15 PM	ITS0408	ITS Withdrawal	(\$5.00)	\$510.60
DEV	4/6/2005 8:47:41 PM	ITS0406	ITS Withdrawal	(\$5.00)	\$515.60
DEV	4/5/2005 10:22:50 AM	5JV081	Payroll - IPP	\$5.25	\$520.60
DEV	4/4/2005 6:48:44 PM	ITS0404	ITS Withdrawal	(\$5.00)	\$515.35
DEV	4/1/2005 7:47:13 PM	ITS0401	ITS Withdrawal	(\$5.00)	\$520.35
DEV	4/1/2005 4:44:27 PM	ITS0401	ITS Withdrawal	(\$5.00)	\$525.35
DEV	3/25/2005 6:47:38 PM	ITS0325	ITS Withdrawal	(\$5.00)	\$530.35
DEV	3/23/2005 8:12:05 PM	ITS0323	ITS Withdrawal	(\$5.00)	\$535.35
DEV	3/21/2005 6:29:18 PM	ITS0321	ITS Withdrawal	(\$5.00)	\$540.35
DEV	3/20/2005 9:51:18 PM	ITS0320	ITS Withdrawal	(\$5.00)	\$545.35
DEV	3/18/2005 5:51:09 PM	ITS0318	ITS Withdrawal	(\$5.00)	\$550.35

1 2 3

Total Transactions: 137

Totals: (\$220.79) (\$7.31)

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
DEV	\$387.75	\$0.00	\$7.31	\$0.00	\$0.00	\$0.00	\$0.00	\$395.06
Totals:	\$387.75	\$0.00	\$7.31	\$0.00	\$0.00	\$0.00	\$0.00	\$395.06